

SIXTY-THIRD LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Ron Davidson, Pastor Calvary Baptist Church, Brownsville, Tennessee.

Representative Crain led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 93

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter --93.

The Speaker announced that Representative Moore (Sullivan) was excused because of legislative business.

The Speaker announced that Representative Stafford was excused because of illness.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

- 168--Relative to confirming appointment, Frank Gorrell;
- 169--Relative to confirming appointment, Nelson Andrews;
- 170--Relative to confirming appointment, S. L. Kopald, Jr.;
- 171--Relative to confirming appointment, Toy F. Reid;
- 172--Relative to confirming appointment, William H. Swain;
- 173--Relative to confirming appointment, Richard E. Ray;
- 174--Relative to confirming appointment, Paul Summers;
- 175--Relative to confirming appointment, Cynthia Bond;

204--Relative to congratulating Christ Methodist Day School; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

- 1815--To eliminate certain racial references, Code;
- 1868--To amend Post Mortem Examination Act;
- 1876--To regulate employment, retired judges to hear certain cases;
- 1909--To regulate priority, certain liens against property; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

- 2242--To provide for wheel tax, Wayne County; substituted for

Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

425--Relative to congratulating Richland High School Lady Raiders basketball team;

426--Relative to proposed exploratory dredging, Watts Bar Reservoir; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1391--To regulate Purchasing Department, Shelby County;

1639--To regulate Civil Service Merit System, Shelby County; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1465--To provide compensation for out-of-state travel, general assembly;

1615--To impose penalties, Petroleum Trade Practices;

1955--To allow payroll deductions, certain state employee associations; substituted for Senate Bills on same subject, all amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

431--Relative to proclaiming "Police Memorial Week"; concurred in

by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1887--To make provisions, certain agreements, marital deduction; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

397--Relative to congratulating Coach Campbell Brandon;

398--Relative to congratulating Tennessee Temple Soccer team;

399--Relative to commending Dr. James E. Cheek;

400--Relative to commending Bill Anderson;

402--Relative to congratulating Lebanon High School girls' basketball team;

403--Relative to commending Kinkead Company;

404--Relative to congratulating Bill Martin;

405--Relative to commending Jim Kent;

407--Relative to congratulating Coach Pat Head Summitt;

409--Relative to congratulating Trojans basketball team, Dyersburg High School;

410--Relative to congratulating girls' basketball team, Dyersburg High School;

411--Relative to memory, Anne Mason Biggs;

421--Relative to memory, Guy Russell Procella; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CALENDAR

On motion of Mr. Crain, House Bill No. 1619 was withdrawn from the House.

House Bill No. 2066--To require reporting escape of felons to certain authorities.

Mr. Nance moved that House Bill No. 2066 be passed on third and final consideration.

Mr. Naifeh moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2066 by deleting from the amendatory language of Section 1, subpart (6) in its entirety and by substituting instead the following:

(6) the sheriff of the county in which the escape occurred and the sheriffs in adjoining counties.

AND FURTHER AMEND by adding to the amendatory language of Section 1 before support (7) the following new subpart and by renumbering the subsequent subpart accordingly:

(7) the sheriff of the county or the chief of police in any county having a metropolitan form of government where the escapee was convicted; and

On motion, the amendment was adopted.

Thereupon, House Bill No. 2066, as amended passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 93 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1940--To create the laboratory advisory committee.

Mr. King (Shelby) moved that House Bill No. 1940 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 89 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

Mr. Kernell moved that House Bill No. 2074 be placed on the Calendar for Thursday, April 26, 1984, which motion prevailed.

House Bill No. 1906--To provide for reporting of certain violations, banking loans.

On motion, House Bill No. 1906 was made to conform with Senate Bill No. 1924.

On motion, Senate Bill No. 1924, on same subject, was substituted for House Bill No. 1906.

Mr. Tanner moved that Senate Bill No. 1924 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew,

Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

House Bill No. 1521--To amend Title 56, Chapter 2, Code.

On motion, House Bill No. 1521 was made to conform with Senate Bill No. 1453.

On motion, Senate Bill No. 1453, on same subject, was substituted for House Bill No. 1521.

Mr. Tanner moved that Senate Bill No. 1453 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 93 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--93.

A motion to reconsider was tabled.

House Bill No. 1503--To provide for facilities, autistic persons.

Mr. McKinney moved that House Bill No. 1503 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 87 |
| Noes | 2 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson),

Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work and Yelton--87.

Representatives voting no were: Henry and Robertson--2.

A motion to reconsider was tabled.

House Bill No. 2026--To make certain provisions, safe deposit boxes.

On motion, House Bill No. 2026 was made to conform with Senate Bill No. 1701.

On motion, Senate Bill No. 1701, on same subject, was substituted for House Bill No. 2026.

Mr. Webb moved that Senate Bill No. 1701 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

House Bill No. 1827--To grant certain authority, state oil and gas boards.

Mr. McNally moved that House Bill No. 1827 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 93 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bwley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--93.

A motion to reconsider was tabled.

House Bill No. 1584--To make certain provisions, arrests for public drunkenness.

Mr. Johnson moved that House Bill No. 1584 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 89 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bwley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

Mr. Owen moved that House Bill No. 1667 be placed on the Calendar for Thursday, April 26, 1984, which motion prevailed.

House Bill No. 1670--To require certain report, Higher Education Commission.

Mr. Owen moved that House Bill No. 1670 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 71 |
| Noes | 17 |

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Pickett), DeBerry, DePriest, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Sir, Smith, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Work and Yelton--71.

Representatives voting no were: Anderson, Chiles, Clark (Sumner), Crain, Davis (Gibson), Dills, Harrill, Hillis, King (Washington), McAfee, Moore (Shelby), Robinson (Washington), Severance, Shirley, Stafford, Stallings and Wood--17.

A motion to reconsider was tabled.

Mr. Jones moved that House Bill No. 1372 be placed on the Calendar for Thursday, April 26, 1984, which motion prevailed.

House Bill No. 1819--To provide for refunds, certain fees and taxes.

On motion, House Bill No. 1819 was made to conform with Senate Bill No. 1931.

On motion, Senate Bill No. 1931, on same subject, was substituted for House Bill No. 1819.

Mr. McNally moved that Senate Bill No. 1931 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 87 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

Mr. Wallace moved that House Bill No. 1774 be placed on the Calendar for Monday, April 30, 1984, which motion prevailed.

House Bill No. 1803--To regulate local sales tax rate.

On motion, House Bill No. 1803 was made to conform with Senate Bill No. 1888.

On motion, Senate Bill No. 1888, on same subject, was substituted for House Bill No. 1803.

Mr. Henry moved that Senate Bill No. 1888 be passed on third and final consideration.

Mr. DePriest moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1888 by adding the following at the end of the amendatory language of Section 1:

provided, that the proceeds of the tax which are generated by a rate in excess of two and one-fourth percent (2 1/4%) shall be allocated to and used exclusively by public education, grades K-12.

Mr. Bewley moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 53 |
| Noes | 27 |
| Present and not voting | 3 |

Representatives voting aye were: Anderson, Atchley, Bewley, Bragg, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Hassell, Henry, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, King (Washington), Kisber, McAfee, Montgomery, Moody, Moore (Shelby), Murphy, Naifeh, Nance, Percy, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stafford, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Whitson Williams and Wood--53.

Representatives voting no were: Bell, Bivens, Buck, Covington, Davidson, Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Gafford, Harrill, Herndon, Hillis, Jones, King (Shelby), McKinney, McNally, Murray, Owen, Phillips, Robinson (Davidson), Sir, Stallings, Starnes, Work and Yelton--27.

Representatives present and not voting were: Cobb, Jared and Miller--3.

Thereupon, Senate Bill No. 1888 passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 68 |
| Noes | 21 |

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davis (Gibson), Davis (Pickett), DePriest, Drew, Duer, Elsea, Ford, Frensley, Gaia, Gill, Hassell, Henry, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McNally, Miller, Montgomery, Moore (Shelby), Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stafford, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work and Yelton--68.

Representatives voting no were: Bell, Covington, Davidson, DeBerry, Dills, Disspayne, Dixon, Ellis, Gafford, Harrill, Herndon, Hillis, Jones, Love, McAfee, McKinney, Murray, Phillips, Shirley, Stallings and Turner (Shelby)--21.

A motion to reconsider was tabled.

House Bill No. 1435--To regulate selection of jurors.

On motion, House Bill No. 1435 was made to conform with Senate Bill No. 1444.

On motion, Senate Bill No. 1444, on same subject, was substituted for House Bill No. 1435.

Mr. Crain moved that Senate Bill No. 1444 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1444 by deleting all the language following the enacting clause, and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 22-2-304(a) (1), is amended by inserting the following after the language "by a child under ten (10) years of age" :

or by a person who is securely blindfolded

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1444, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 1616

House Bill No. 1616--To increase penalty, escape from prison.

Mr. Crain moved that House Bill No. 1616 be passed on third and final consideration.

Mr. Bragg moved that Amendment No. 1 to Amendment No. 2 be withdrawn, which motion prevailed.

Mr. Owen moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, House Bill No. 1616, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 91 |
| Noes | 3 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir,

Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representatives voting no were: DeBerry, Dixon and Jones--3.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 536

House Bill No. 536--To enact Child Nutrition Law.

Mr. Cobb moved that House Bill No. 536 be passed on third and final consideration.

Mr. Work requested that a new amendment be substituted for Amendment No. 1 to Amendment No. 1.

Mr. Rhinehart objected to the request.

Mr. Work moved that Amendment No. 1 to Amendment No. 1 be withdrawn.

Mr. Robinson (Davidson) moved to amend Mr. Work's motion to say that Amendment No. 1 to Amendment No. 1 would be considered at the heel of the amendments.

Mr. Rhinehart moved that the motion be tabled, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 80 |
| Noes | 4 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood and Yelton--80.

Representatives voting no were: Disspayne, King (Washington), Miller and Shirley--4.

Mr. Robinson (Davidson) moved that Amendment No. 1 to Amendment No. 1 be tabled, which motion failed by the following vote:

| | |
|----------------|----|
| Ayes | 27 |
| Noes | 54 |

Representatives voting aye were: Bivens, Clark (Davidson), Covington, DeBerry, Disspayne, Dixon, Drew, Gaia, Gill, Jones, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Murphy, Owen, Robinson (Davidson), Robinson (Washington), Shirley, Stallings, Turner (Hamilton), Turner (Shelby), Whitson and Work--27.

Representatives voting no were: Anderson, Atchely, Bell, Bewley, Bragg, Buck, Byrd, Chiles, Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, McAfee, McNally, Montgomery, Moody, Moore (Shelby), Murray, Naifeh, Nance, Percy, Phillips, Rhinehart, Robertson, Scruggs, Severance, Sir, Stafford, Tanner, Wallace, Webb, Williams, Wood and Yelton--54.

Mr. Speaker McWherter resumed the Chair.

Mr. Work moved the previous question on the Amendment, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 73 |
| Noes | 7 |
| Present and not voting | 1 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moore (Shelby), Murphy, Murray, Nance, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Smith, Stafford, Stallings, Turner (Hamilton), Turner (Shelby), Webb, Wheeler, Whitson, Williams, Wood, Work, Yelton and Mr. Speaker McWherter--73.

Representatives voting no were: Clark (Davidson), Harrill, Miller, Naifeh, Napier, Scruggs and Tanner--7.

Representative present and not voting was: Kernell--1.

Thereupon, Amendment No. 1 to Amendment No. 1 was adopted by the following vote:

| | |
|----------------------------------|----|
| Ayes | 83 |
| Noes | 0 |
| Present and not voting | 1 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton --83.

Representative present and not voting was: Robinson (Hamilton) --1.

Mr. Cobb moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 2 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting the first clause from Section 2(j) which reads as follows: "Permit the commissioner in his discretion to waive the requirements of Section 4(b) for any individual school for each year that a local education agency shows:" and substitute in lieu thereof the follow:

"Require the commissioner to waive the requirements of Section 4(b) for any individual school for each year that a local education agency demonstrates to the satisfaction of the commissioner:"

Further amend by deleting the words and numbers forty percent (40%) in Subsection 4(b)(2) and substituting in lieu therefore the words and number fifty percent (50%)

Mr. Robertson moved that House Bill No. 536 be re-referred to the Committee on Finance, Ways and Means.

Mr. Cobb moved that the motion be tabled, which motion failed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 37 |
| Noes | 50 |
| Present and not voting | 1 |

Representatives voting aye were: Bivens, Brewer, Clark (Davidson), Cobb, Covington, Davidson, DeBerry, Disspayne, Dixon, Drew, Gaia, Gill, Hillis, Hudson, Jared, Jones, Kernell, King

(Shelby), Kisber, Love, McKinney, Miller, Murphy, Napier, Owen, Pickering, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wheeler, Whitson, Wix, Work and Yelton--37.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Bragg, Buck, Byrd, Chiles, Clark (Sumner), Copeland, Crain, Davis (Gibson), Davis (Pickett), Duer, Ellis, Elsea, Ford, Frensley, Gafford, Harrill, Hassell, Henry, Herndon, Hurley, Huskey, Johnson, Kelley, Kent, King (Washington), McNally, Montgomery, Moody, Moore (Shelby), Murray, Naifeh, Nance, Percy, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Smith, Tanner, Ussery, Wallace, Webb, Williams and Wood--50.

Representative present and not voting was: DePriest--1.

Mr. Ellis moved that House Bill No. 536 be placed on the next available Calendar, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 62 |
| Noes | 20 |
| Present and not voting | 1 |

Representatives voting aye were: Anderson, Atchley, Bell, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Pickett), DeBerry, DePriest, Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Gaia, Gill, Harrill, Hillis, Hudson, Hurley, Jared, Jones, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--62.

Representatives voting no were: Bewley, Bivens, Buck, Chiles, Davis (Gibson), Frensley, Gafford, Hassell, Herndon, Johnson, Kelley, Kent, McNally, Moody, Moore (Shelby), Nance, Napier, Severance, Tanner and Wallace--20.

Representative present and not voting was: Bragg--1.

House Bill No. 536 was placed on the Calendar for Monday, April 23, 1984.

House Bill No. 240--To make certain provisions, annexation.

On motion, House Bill No. 240 was made to conform with Senate Bill No. 1351.

On motion, Senate Bill No. 1351, on same subject, was substituted for House Bill No. 240.

Mr. Owen moved that Senate Bill No. 1351 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1351 by adding the following language as a new section to be appropriately designated:

SECTION _____. The provisions of this act shall not apply in counties having a metropolitan form of government

On motion, the amendment was adopted.

Mr. McNally moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1351 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in any county having a population of not less than 67,300 nor more than 67,400 according to the 1980 federal census of population or any subsequent federal census.

SECTION _____. The provisions of this act shall not apply in any county having a population of not less than 58,000 nor more than 59,000 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. McNally moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1351 as follows:

Section _____. The severability clause is deleted in its entirety

Mr. Scruggs moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 45 |
| Noes | 28 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Disspayne, Drew, Duer, Elsea, Ford, Gaia, Hassell, Hillis, Hudson, Hurley, Huskey, Kent, King (Shelby), Love, Miller, Moody, Moore (Shelby), Murray, Owen, Percy, Robertson, Robinson (Hamilton), Scruggs, Severance, Sir, Smith, Starnes, Turner (Hamilton), Turner (Shelby), Webb, Whitson, Williams, Wix, Wood and Yelton--45.

Representatives voting no were: Bragg, Buck, Crain, Davidson, Davis (Gibson), DePriest, Dills, Dixon, Frensley, Gafford, Gill, Herndon, Jared, Johnson, Kelley, Kisber, McKinney, McNally, Montgomery, Naifeh, Pickering, Rhinehart, Shirley, Stallings, Tanner, Wallace, Wheeler and Work--28.

Thereupon, Senate Bill No. 1351, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 74 |
| Noes | 13 |

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Buck, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Wallace, Webb, Wheeler, Whitson, Wood, Work, Yelton and Mr. Speaker McWherter --74.

Representatives voting no were: Bragg, Byrd, Dixon, Frensley, Gill, Kent, Kernell, McNally, Nance, Shirley, Turner (Shelby), Ussery and Williams--13.

A motion to reconsider was tabled.

House Bill No. 1718--To amend Business Tax Act.

Mr. Smith moved that House Bill No. 1718 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1718 by deleting the words "or interest or both" in the amendatory language on Section 1.

On motion, the amendment was adopted.

Mr. Smith moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1718 by deleting Section 1 in its entirety and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-720, is amended by adding the following as a new subsection:

The local tax collection officer may, under the same criteria and requirements as used by the commissioner of revenue, waive payment of penalty on any tax due.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1718, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 88 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work, Yelton and Mr. Speaker McWherter--88.

A motion to reconsider was tabled.

House Bill No. 2069--To set compensation, certain utility district commissioners.

Mr. Naifeh moved that House Bill No. 2069 be passed on third and final consideration.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2069 by adding to the amendatory language of Section 1 the following new subpart:

() Provided further, in any utility district created pursuant to Tennessee Code Annotated, Title 7, Chapter 82, and located entirely or partly within a county having a population of not less than sixty-seven thousand three hundred (67,300) nor more than sixty-seven thousand four hundred (67,400) according to the 1980 federal census or any subsequent federal census, any member of the board of commissioners shall be entitled to receive compensation for their services in an amount not to exceed one hundred dollars (\$100) per month. The amount of such compensation shall be fixed by the board of commissioners. The members of the board shall also be entitled to receive as

compensation for their services such group medical insurance coverage as is available to the employees of the utility district. The cost of such insurance coverage for board members shall be borne in the same manner as the cost of such coverage is borne by the employees of such utility district.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2069, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 88 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--88.

A motion to reconsider was tabled.

House Bill No. 377--To change retirement eligibility, teachers.

Mr. Work moved that House Bill No. 377 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 377 by adding a new item (7) in Section 1 as follows:

(7) the member shall make a lump sum payment equal to (1) the sum he would have contributed had he been a member during such period of out-of-state service, plus (2) the employer contributions which would have been made in accordance with the contribution rates in effect during the period in which the service was rendered, plus (3) interest on both at the rate provided by Tennessee Code Annotated, Section 8-37-214.

On motion, the amendment was adopted.

Thereupon, House Bill No. 377, as amended, passed its third and final consideration by the following vote:

Ayes 87
Noes 2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representatives voting no were: Chiles and Hudson--2.

A motion to reconsider was tabled.

House Bill No. 1631--To make certain provisions, real estate transactions.

Mr. Buck moved that House Bill No. 1631 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1631 by deleting from SECTION 2 thereof the words: "Tennessee Code Annotated, Section 66-24-101, is further amended by adding at the end of subsection (a) the following new subparagraph: (22)" and by substituting therfor the following: "Tennessee Code Annotated, Title 66, Chapter 24, is amended by adding at the end thereof the following new section:"

On motion, the amendment was adopted.

Thereupon, House Bill No. 1631, as amended passed its third and final consideration by the following vote:

Ayes 91
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones,

Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Buck moved that House Bill No. 2007 be placed on the Calendar for Thursday, April 26, 1984, which motion prevailed.

CONSENT CALENDAR

Senate Joint Resolution No. 183--Relative to congratulating Lady Dragon basketball team.

Senate Joint Resolution No. 184--Relative to congratulating Coach Larry Looper and Lady B. Bulldogs.

Senate Joint Resolution No. 185--Relative to congratulating Coach Lamar Rogers and Lady Buffaloes.

Senate Joint Resolution No. 187--Relative to congratulating Coach Jim Davis.

Senate Joint Resolution No. 189--Relative to honoring Earl Mitchell.

Senate Joint Resolution No. 192--Relative to 97th birthday, Harmon Baker.

House Resolution No. 115--Relative to congratulating L. V. Patterson.

House Resolution No. 116--Relative to congratulating Tennie Bennett.

House Joint Resolution No. 423--Relative to congratulating Union City High School boys' basketball team.

House Joint Resolution No. 418--Relative to requesting ICC to continue certain railroad.

House Bill No. 2255--To establish City Court, Trenton.

On motion, House Bill No. 2255 was made to conform with Senate Bill No. 2211.

On motion, Senate Bill No. 2211, on same subject, was substituted for House Bill No. 2255.

Mr. Gill moved that all Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions

on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 443 out of order, which motion prevailed.

House Joint Resolution No. 443--Relative to congratulating Robert Baird--By Wheeler.

Mr. Wheeler moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 443, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 444 out of order, which motion prevailed.

House Joint Resolution no. 444--Relative to congratulating Kathy Sanderson--By Wheeler.

Mr. Wheeler moved that the rules be suspended for the immediate consideration of House Joint Resolution no. 444, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Ms. Hassell moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 204 out of order, which motion prevailed.

Senate Joint Resolution No. 204--Relative to congratulating Christ Methodist Day School.

Ms. Hassell moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 204, which motion prevailed.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1825--To require smoke detectors, certain residential buildings; substituted for Senate bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 93

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--93.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 428--Relative to congratulating Stewart County Soil Conservation District Youth Board--By Herndon and Napier.

Under the rules, House Joint Resolution No. 428 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 430--Relative to study, Uniform Commercial Code--By Murray.

The Speaker referred House Joint Resolution No. 430 to the Committee on Commerce.

House Joint Resolution No. 432--Relative to April as Child Abuse and Neglect Prevention Month--By Murphy.

The Speaker referred House Joint Resolution No. 432 to the Committee on General Welfare.

House Joint Resolution No. 433--Relative to the Rules of Juvenile Procedure--By Murphy.

The Speaker referred House Joint Resolution No. 433 to the Committee on Judiciary.

House Joint Resolution No. 434--Relative to honoring Mr. Harry Porter on his 90th birthday--By Robinson (Hamilton), Turner (Hamilton), Wood and Copeland.

Under the rules, House Joint Resolution No. 434 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 435--Relative to noninstructional tasks public schools--By Duer.

The Speaker referred House Joint Resolution No. 435 to the Committee on Education.

House Joint Resolution No. 436--Relative to congratulating U. S. Representative Ed Jones--By Napier, Herndon and Mr. Speaker McWherter.

Under the rules, House Joint Resolution No. 436 was referred to the Committee on Calendar and Rules.

House Resolution No. 118--Relative to congratulating J. R. "Pitt" Hyde III--By Kent.

Under the rules, House Resolution No. 118 was referred to the Committee on Calendar and Rules.

House Resolution No. 119--Relative to the Tennessee Board of Medical Examiners--By DePriest.

Under the rules, House Resolution No. 119 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2262--To amend Charter, McEwen--By Work.

Passed first consideration.

House Bill No. 2263--To amend Charter, Clarksville--By Pickering and Ussery.

Passed first consideration.

SENATE BILLS ON SECOND CONSIDERATION

Senate Bill No. 1526--To regulate County purchase, certain commodities.

Passed second consideration and referred to Committee on State and Local Government.

Senate Bill No. 1764--To amend Interlocal Cooperation Act.

Passed second consideration and referred to Committee on State and Local Government.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2259--To make provisions, probate court, Monroe County.

Passed second consideration and held without reference.

House Bill No. 2260--To amend Charter, Tiptonville.

Passed second consideration and held without reference.

House Bill No. 2261--To amend Charter, Friendsville.

Passed second consideration and held without reference.

REPORTS OF STANDING COMMITTEES

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Joint Resolutions Nos. 360 and 363.

WORK, Chairman.

Under the rules, House Joint Resolutions Nos. 360 and 362 were transmitted to the Committee on Calendar and Rules.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bill No. 1944.

KING (Shelby), Chairman.

Under the rules, House Bill No. 1944 was transmitted to the Committee on Calendar and Rules.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

2044--To provide for legal services insurance;

2244--To regulate road commission, Carroll County;

2250--To amend road laws, Lake County;

2251--To amend road laws, Lake County;

2252--To create board of highway commissioners, Obion County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1807 and 1808; and House Resolution No. 120; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1807 and 1808 and House Resolution No. 120.

NOTICES PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, the sponsors gave notice of their intentions to consider the following measures from the Senate on Monday, April 23, 1984:

House Bill No. 1465--Rhinehart
House Bill No. 1615--Yelton

House Bill No. 1825--Atchley

House Bill No. 1955--Rhinehart

BILL WITHDRAWN

On motion of Mr. Johnson, House Bill No. 2006 was recalled from the Committee on State and Local Government.

On motion of Mr. Johnson, House Bill No. 2006 was withdrawn from the House.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

197--Relative to commending James S. Brown; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1893--To make certain provisions, boating safety;

1929--To regulate taxes, imposed on barrels of beer and soft drink bottles;

1935--To regulate professional boxing;

1983--To regulate fees and taxes, certain penalties, certain companies;

2043--To enact Tennessee Coal Cooperative Marketing Association Law;

2095--To regulate acquisition, railroads;

2108--To regulate practice, public accountancy;

2171--To regulate issuance, special license plates; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1472, 1644, 1751, 1826, 1829, 1832, 1846, 1886, 1912 and 1989;

also, House Joint Resolutions Nos. 264, 266, 344, 380, 383, 384, 386, 387, 388, 391, 392, 393, 394, 395 and 396; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1472, 1644, 1751, 1826, 1829, 1832, 1846, 1886, 1912 and 1989; and House Joint Resolutions Nos. 264, 266, 344, 380, 383, 384, 386, 387, 388, 391, 392, 393, 394, 395 and 396; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 377, 1503, 1584, 1616, 1631, 1670, 1718, 1827, 1940, 2066 and 2069; and House Joint Resolutions Nos. 418, 423, 443 and 444; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SPONSOR ADDED

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the bill as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1616--Owen

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1391, 1639, 1887, 2044, 2242, 2244, 2250, 2251 and 2252; and House Joint Resolutions Nos. 397, 398, 399, 400, 402, 403, 404, 405, 407, 409, 410, 411, 421, 425, 426 and 431; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 166, 350, 1344, 1436, 1518, 1520, 1521, 1617, 1648, 1745 and 1945; also, Senate Joint Resolutions Nos. 198 and 199; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1391, 1639, 1887, 2044, 2242, 2244, 2250, 2251 and 2252; House Joint Resolutions Nos. 397, 398, 399, 400, 402, 403, 404, 405, 407, 409, 410, 411, 421, 425, 426 and 431; Senate Bills Nos. 166, 350, 1344, 1436, 1518, 1520, 1521, 1617, 1648, 1745 and 1945 and Senate Joint Resolutions Nos. 198 and 199.

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2259, 2260 and 2261.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, April 23, 1984: House Bills Nos. 1620, 134, House Resolutions Nos. 119, 118, House Joint Resolutions Nos. 428, 434, 436, House Bills Nos. 2259, 2260 and 2261.

GILL, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, April 23, 1984: House Bills Nos. 1816, 1493, 1494, 1745, 1696, 1852, 1818, 1686, 2140, House Joint Resolution No. 382, House Bills Nos. 1975, 2109, 1788, 1402, 1401 and 1845.

GILL, Chairman.

On motion of Mr. Naifeh, the House adjourned until 5:00 p.m., Monday, April 23, 1984.